

## PUBLIC HEARING

April 23, 2012

A **Public Hearing** was held on Monday, **April 23, 2012**, at 7:01 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, on **Bill No. 12-02** regarding the allocation of revenues generated by the Berkeley/Williamsburg Joint Industrial and Business Park.

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Steve C. Davis, Council Member District No. 8, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Jack H. Schuriknight, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Ms. Nicole Scott Ewing, County Attorney; and Ms. Catherine Windham, Interim Clerk to Council.

*In accordance with the Freedom of Information Act, the electronic and print media were duly notified.*

Chairman Daniel Davis called the meeting to order and stated there was one Public Hearing being held to solicit public comment, written or oral.

There were no written comments on the bill for Public Hearing.

**Bill No. 12-02**, an ordinance providing for the allocation of revenues generated by the **Berkeley/Williamsburg Joint Industrial and Business Park**; repealing Ordinance No. 96-01-02, as amended in its entirety; and repealing all resolutions pertaining to the allocation of revenues generated by the Joint Industrial and Business Park in its entirety.

Mr. Terry Hardesty: "Good evening, Mr. Supervisor, Members of Council. My name is Terry Hardesty. I live at 325 West Main Street. I noticed that we're rescinding an Ordinance No. 96-01-02, and it spells out the distribution of the fee-in-lieu for the Joint Industrial Park, and that splits it according to millage, and yet, you know, once you paid off the loan to Santee Cooper, that would have reverted Mount Holly back to that agreement, and you have not been doing that. You are doing that based on a resolution, and I would submit to you that a resolution cannot override an ordinance, because you could pass a resolution today that all ordinances not be enforced in Berkeley County, but the ordinance would still be there. So, I think you owe the School District back about \$8,000,000 from what I can figure here. The other issue is that I've been to several meetings, viewed the Council Meetings that I missed on the Web, Committee Meetings, and I haven't heard any Council Member in a public meeting discuss this ordinance that you're getting ready to pass that takes another \$2,000,000 a year out of the School District. Was this agreed to out of Chambers somewhere? Was this done in Executive Session? That's a question. I'd like an answer for that. Has this been discussed in Executive Session?"

Council Member Callanan: "Yes."

Chairman Daniel Davis: “Mr. Hardesty, this is an opportunity for you to make comments. It’s not a question and answer period.”

Mr. Hardesty: “Well, my comment then is that if this was discussed in Executive Session, you have violated South Carolina State Law, and not only that, you have violated every taxpayer in this County, because the taxpayers have a right to know what you are doing, upfront, in front of everybody, because it’s their tax money, it’s not yours. Thank you.”

Chairman Daniel Davis: “Thank you. Is there anyone else who wishes to address Council on Bill No. 12-02?”

Mr. Truman Metts: “Good evening, Council. I’m Truman Metts. I live at 512 Division Street in Moncks Corner, 29461 is the zip. In regards to this ordinance, I’m requesting that Council, each of you, vote ‘no’ for this ordinance tonight. And, I think, based on what I heard just a few minutes ago is probably enough reason. However, there’s a couple I want to state. There’s no evidence of this ordinance being collaborated with the Berkeley County School District or School Board. Also, the impact of the ordinance is such that I don’t believe it has been thoroughly researched and studied by you, the Council Members. My suggestion to you tonight is to table this item, schedule a workshop to include all Members of Council, all School Board Members, and the public, and make available all the details for the distribution of this FILOT. I find it interesting that, recently, Supervisor Davis and some Council Members boasted about their accomplishments regarding transparency, when actions taken in preparation of this ordinance are as transparent as the concrete and drywall behind you. I remind Council Members that you work for the citizens, to include our children of this County. If each of you cannot explain the details of this ordinance to any one of your constituents tonight then you should cast a ‘no’ vote. Thank you very much.”

Chairman Daniel Davis: “Thank you. Anyone else wishing to address Council on Bill No. 12-02?”

There being no further comments, the Public Hearing was declared ended at 7:07 p.m.

S/Catherine Windham  
Interim Clerk to Council

29 May 2012  
Date Approved

## **AGENDA FOR PUBLIC HEARINGS BERKELEY COUNTY COUNCIL**

**BERKELEY COUNTY COUNCIL** will hold a public hearing on **Monday, April 23, 2012, at 6:02 p.m.** or as soon thereafter as may be heard following any scheduled committee meetings and other public hearings, in the **Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner South Carolina**, to receive public comment, written or oral, in regard to the following:

### **CALL TO ORDER**

1. **Bill No. 12-02**, an ordinance providing for the allocation of revenues generated by the **Berkeley/Williamsburg Joint Industrial and Business Park**; repealing Ordinance No. 96-1-2, as amended, in its entirety; and repealing all resolutions pertaining to the allocation of revenues generated by the Joint Industrial and Business Park in the entirety.

### **PUBLIC DISCUSSION**

### **ADJOURNMENT**

April 18, 2012  
S/Catherine R. Windham  
Interim Clerk of County Council